

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

B & R SUPERMARKET, INC., d/b/a
MILAM'S MARKET, a Florida
corporation, et al., Individually and on
Behalf of All Others Similarly Situated,

Plaintiffs,

v.

VISA, INC., *et al.*,

Defendants.

X

: Case No. 1:17-cv-02738-MKB-JO

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: CLASS ACTION

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:

: **ORAL ARGUMENT REQUESTED**

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X

**NOTICE OF DEFENDANT DISCOVER FINANCIAL SERVICES' MOTION FOR
JUDGMENT PURSUANT TO RULE 12(c)**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion for Judgment on the Pleadings, the pleadings, filings, and all prior proceedings before this Court, and oral argument on a date and at a time to be designated by the Court, Defendant Discover Financial Services ("Discover"), by and through the undersigned counsel of record, moves this Court pursuant to Federal Rule of Civil Procedure 12(c) for an order granting Discover's motion to dismiss Plaintiffs' claims against Discover in their entirety.

PLEASE TAKE FURTHER NOTICE that pursuant to the briefing schedule set by the Court at the August 24, 2017 Status Conference, the response to this motion is due to be filed by October 19, 2017.

Dated: Washington, D.C.
September 21, 2017

Respectfully submitted,

/s Elizabeth P. Papez

Elizabeth P. Papez (*pro hac vice*)
Winston & Strawn LLP
1700 K Street, N.W.
Washington, DC 20006
Telephone: 202.282.5000
Facsimile: 202-282.5100
epapez@winston.com

Jeffrey L. Kessler
Eva W. Cole
Johanna Rae Hudgens
200 Park Avenue
New York, New York 10166
Tel: (212) 294-6700
Fax: (212) 294-4700
jkessler@winston.com
ewcole@winston.com
jhudgens@winston.com

Sean D. Meenan (*pro hac vice*)
Jeanifer Ellen Parsigian (*pro hac vice*)
Dana Lynn Cook-Milligan (*pro hac vice*)
101 California Street
San Francisco, CA 94111
Tel: (415) 591-1000
Fax: (415) 591-1400
smeen@winston.com
jparsigian@winston.com
dlcook@winston.com

James Franklin Herbison (*pro hac vice*)
35 West Wacker Drive
Chicago, IL 60601
Tel: (312) 558-5600
Fax: (312) 558-5700
jherbiso@winston.com

*Attorneys for Defendant Discover Financial
Services*

TO: George C. Aguilar
Gregory E. Del Gaizo
Jenny L. Dixon
Michael Nicoud
Robbins Arroyo LLP
600 B Street, Suite 1900
San Diego, CA 92101

John William Devine
Lawrence Dean Goodman
Robert J Kuntz , Jr.
Devine Goodman Rasco WattsFitzGerald LLP
2800 Ponce de Leon Blvd., Suite 1400
Coral Gables, FL 33134

Attorneys for Plaintiffs